

REMARKS/ARGUMENTS

1.) Claim Amendments

The Applicant has amended claims 1 and 7-9. Applicant respectfully submits no new matter has been added. Accordingly, claims 1-9 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Examiner Objections - Claims

Claims 1-9 were objected to because of informalities. The Applicant appreciates the Examiner's thorough review of the claims. The Applicant has amended the claims as suggested by the Examiner in order to correct the informalities. The Examiner's consideration of the amended claims is respectfully requested.

3.) Examiner Rejections – 35 U.S.C. § 112

Claims 7 and 8 stand rejected under 35 U.S.C. 112, second paragraph, as being unclear as to whether it is applicant's intention to claim "a system" or "a method", i.e., claims 7 and 8 are not clearly directed to either an apparatus or a method. Claims 7 and 8 have been designated as method claims. Withdrawal of the rejection is respectfully requested.

4.) Claim Rejections – 35 U.S.C. § 103 (a)

Claims 1-9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Hardjono, (U.S. Patent No. 6,643,773, and Hardjono hereinafter), in view of Castro, et al., (U.S. Patent No. 6,671,821 and Castro hereinafter).

The Examiner's attention is directed to the fact that neither Hardjono nor Castro teaches, discloses, or suggests "a nonce which is associated with the filename", as recited by independent claims 1 and 7. Amended independent claim 8 now recites similar elements.

The Examiner concedes that Hardjono fails to teach this limitation. In order to cure the Examiner's perceived deficiency of Hardjono, Castro is cited. Castro discloses

a message signed with a private key that includes a new key, an encrypted key, and a variable, t, which is a timestamp or counter. Castro does not disclose that "t" is associated with a filename. Castro only discloses that it's variable, t, is included in a new key message.

As such, the combination of Hardjono and Castro does not teach what is recited in independent claims 1, 7, and 8. Claims 2-6 and 9 are patentable at least by virtue of depending from their respective base claim. Therefore, the allowance of claims 1-9 is respectfully requested.

5.) Prior Art Not Relied Upon

In the paragraph under Conclusion on page 7 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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